

# **EXHIBIT 16**

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**From:** Frances A. Smith <Frances.Smith@judithwross.com>  
**Sent:** Monday, April 19, 2021 9:03 AM  
**To:** George, Katie (CH); Allen, Robert (CC)  
**Cc:** Tomkowiak, Sarah (DC); Clubok, Andrew (DC); Eric Soderlund; Judith Ross  
**Subject:** RE: Notices and Subpoenas

I will also accept service on Ms. Lucas' behalf.

Frances

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**From:** Frances A. Smith  
**Sent:** Monday, April 19, 2021 10:57 AM  
**To:** kathryn.george@lw.com; Robert.Allen@lw.com  
**Cc:** Sarah.Tomkowiak@lw.com; Andrew.Clubok@lw.com; Eric Soderlund <Eric.Soderlund@judithwross.com>; Judith Ross <Judith.Ross@judithwross.com>  
**Subject:** RE: Notices and Subpoenas

I will accept service on Mr. Ellington's behalf. I am waiting to hear from Ms. Lucas, who as you have been informed is on maternity leave with newborn twins.

Best regards,

Frances

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**From:** [kathryn.george@lw.com](mailto:kathryn.george@lw.com) <[kathryn.george@lw.com](mailto:kathryn.george@lw.com)>  
**Sent:** Monday, April 19, 2021 10:42 AM  
**To:** Frances A. Smith <[Frances.Smith@judithwross.com](mailto:Frances.Smith@judithwross.com)>; [Robert.Allen@lw.com](mailto:Robert.Allen@lw.com)  
**Cc:** [Sarah.Tomkowiak@lw.com](mailto:Sarah.Tomkowiak@lw.com); [Andrew.Clubok@lw.com](mailto:Andrew.Clubok@lw.com); Eric Soderlund <[Eric.Soderlund@judithwross.com](mailto:Eric.Soderlund@judithwross.com)>; Judith Ross <[Judith.Ross@judithwross.com](mailto:Judith.Ross@judithwross.com)>  
**Subject:** RE: Notices and Subpoenas

By way of update, we have been informed that Messrs. Sevilla, Leventon, and DiOrio have been served. Please let us know immediately if you can accept service on behalf of Mr. Ellington and Ms. Lucas.

Best,  
Katie

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**From:** George, Katie (CH)  
**Sent:** Monday, April 19, 2021 10:11 AM  
**To:** 'Frances A. Smith' <[Frances.Smith@judithwross.com](mailto:Frances.Smith@judithwross.com)>; Allen, Robert (CC) <[Robert.Allen@lw.com](mailto:Robert.Allen@lw.com)>  
**Cc:** Tomkowiak, Sarah (DC) <[Sarah.Tomkowiak@lw.com](mailto:Sarah.Tomkowiak@lw.com)>; Clubok, Andrew (DC) <[Andrew.Clubok@lw.com](mailto:Andrew.Clubok@lw.com)>; Eric Soderlund <[Eric.Soderlund@judithwross.com](mailto:Eric.Soderlund@judithwross.com)>; Judith Ross <[Judith.Ross@judithwross.com](mailto:Judith.Ross@judithwross.com)>  
**Subject:** RE: Notices and Subpoenas

Frances,

Your clients have already caused us significant unnecessary expense by deliberately dodging service, and we have already prepared our motion given the urgency. Because we will have to file our motion anyway, there's no extra expense to include your clients. And, frankly, given the track record we're not willing to delay this much longer. We will be filing by noon CT. If you can get back to us before that we will take them out of the motion; otherwise you can obviously agree to the relief after we file.

Thanks,  
Katie

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**From:** Frances A. Smith <[Frances.Smith@judithwross.com](mailto:Frances.Smith@judithwross.com)>  
**Sent:** Monday, April 19, 2021 9:17 AM  
**To:** George, Katie (CH) <[kathryn.george@lw.com](mailto:kathryn.george@lw.com)>; Allen, Robert (CC) <[Robert.Allen@lw.com](mailto:Robert.Allen@lw.com)>  
**Cc:** Tomkowiak, Sarah (DC) <[Sarah.Tomkowiak@lw.com](mailto:Sarah.Tomkowiak@lw.com)>; Clubok, Andrew (DC) <[Andrew.Clubok@lw.com](mailto:Andrew.Clubok@lw.com)>; Eric Soderlund <[Eric.Soderlund@judithwross.com](mailto:Eric.Soderlund@judithwross.com)>; Judith Ross <[Judith.Ross@judithwross.com](mailto:Judith.Ross@judithwross.com)>  
**Subject:** RE: Notices and Subpoenas

Katie and Robert,

Thank you for your emails. I am in a hearing this morning but as soon as it is over I will circle back with my clients and let you know. I would hold off on the expense of a motion for alternative service until I can get back to you as it may not be necessary.

Best regards,

Frances

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**From:** [kathryn.george@lw.com](mailto:kathryn.george@lw.com) <[kathryn.george@lw.com](mailto:kathryn.george@lw.com)>  
**Sent:** Monday, April 19, 2021 8:59 AM  
**To:** [Robert.Allen@lw.com](mailto:Robert.Allen@lw.com); Frances A. Smith <[Frances.Smith@judithwross.com](mailto:Frances.Smith@judithwross.com)>  
**Cc:** [Sarah.Tomkowiak@lw.com](mailto:Sarah.Tomkowiak@lw.com); [Andrew.Clubok@lw.com](mailto:Andrew.Clubok@lw.com); Eric Soderlund <[Eric.Soderlund@judithwross.com](mailto:Eric.Soderlund@judithwross.com)>; Judith Ross <[Judith.Ross@judithwross.com](mailto:Judith.Ross@judithwross.com)>  
**Subject:** RE: Notices and Subpoenas

Frances,

Following up on the below, please let us know asap whether you can accept service on your clients' behalf or whether or not you consent to alternative service through means of mail and email.

Best,  
Katie George

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**From:** Allen, Robert (CC) <[Robert.Allen@lw.com](mailto:Robert.Allen@lw.com)>  
**Sent:** Sunday, April 18, 2021 11:51 AM  
**To:** Frances A. Smith <[Frances.Smith@judithwross.com](mailto:Frances.Smith@judithwross.com)>  
**Cc:** George, Katie (CH) <[kathryn.george@lw.com](mailto:kathryn.george@lw.com)>; Tomkowiak, Sarah (DC) <[Sarah.Tomkowiak@lw.com](mailto:Sarah.Tomkowiak@lw.com)>; Clubok, Andrew (DC) <[Andrew.Clubok@lw.com](mailto:Andrew.Clubok@lw.com)>; Eric Soderlund <[Eric.Soderlund@judithwross.com](mailto:Eric.Soderlund@judithwross.com)>; Judith Ross <[Judith.Ross@judithwross.com](mailto:Judith.Ross@judithwross.com)>  
**Subject:** RE: Notices and Subpoenas

Counsel,

We have still not received an answer as to whether you will accept service for your clients. As you likely know, we have been trying to serve them for weeks now. We intend to file a motion for alternative service tomorrow morning. Please let us know immediately whether you can accept service on their behalf or whether or not you consent to alternative service through means of mail and email.

Best,

**Robert E. Allen**

**LATHAM & WATKINS LLP**

10250 Constellation Blvd. Suite 1100 | Los Angeles, CA 90067  
D: +1.424.653.5563

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**From:** Frances A. Smith <[Frances.Smith@judithwross.com](mailto:Frances.Smith@judithwross.com)>

**Sent:** Friday, April 16, 2021 2:44 PM

**To:** Allen, Robert (CC) <[Robert.Allen@lw.com](mailto:Robert.Allen@lw.com)>

**Cc:** George, Katie (CH) <[kathryn.george@lw.com](mailto:kathryn.george@lw.com)>; Tomkowiak, Sarah (DC) <[Sarah.Tomkowiak@lw.com](mailto:Sarah.Tomkowiak@lw.com)>; Clubok, Andrew (DC) <[Andrew.Clubok@lw.com](mailto:Andrew.Clubok@lw.com)>; Eric Soderlund <[Eric.Soderlund@judithwross.com](mailto:Eric.Soderlund@judithwross.com)>; Judith Ross <[Judith.Ross@judithwross.com](mailto:Judith.Ross@judithwross.com)>

**Subject:** RE: Notices and Subpoenas

Thank you for your email. I am checking with my individual clients now and will let you know.

Best regards,

Frances

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**From:** [Robert.Allen@lw.com](mailto:Robert.Allen@lw.com) <[Robert.Allen@lw.com](mailto:Robert.Allen@lw.com)>

**Sent:** Friday, April 16, 2021 2:34 PM

**To:** Frances A. Smith <[Frances.Smith@judithwross.com](mailto:Frances.Smith@judithwross.com)>

**Cc:** [kathryn.george@lw.com](mailto:kathryn.george@lw.com); [Sarah.Tomkowiak@lw.com](mailto:Sarah.Tomkowiak@lw.com); [Andrew.Clubok@lw.com](mailto:Andrew.Clubok@lw.com); Eric Soderlund <[Eric.Soderlund@judithwross.com](mailto:Eric.Soderlund@judithwross.com)>; Judith Ross <[Judith.Ross@judithwross.com](mailto:Judith.Ross@judithwross.com)>

**Subject:** RE: Notices and Subpoenas

Dear Counsel,

Thank you for your email. We will ensure that all future correspondence related to this matter will be directed to you and Mr. Soderlund.

Attached please find notices and subpoenas to your clients. Can you please confirm whether you will accept service of these notices and subpoenas on their behalf?

Best,

**Robert E. Allen**

**LATHAM & WATKINS LLP**

10250 Constellation Blvd. Suite 1100 | Los Angeles, CA 90067  
D: +1.424.653.5563

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**From:** Frances A. Smith <[Frances.Smith@judithwross.com](mailto:Frances.Smith@judithwross.com)>

**Sent:** Friday, April 16, 2021 9:09 AM

**To:** Allen, Robert (CC) <[Robert.Allen@lw.com](mailto:Robert.Allen@lw.com)>; Clubok, Andrew (DC) <[Andrew.Clubok@lw.com](mailto:Andrew.Clubok@lw.com)>  
**Cc:** George, Katie (CH) <[kathryn.george@lw.com](mailto:kathryn.george@lw.com)>; Eric Soderlund <[Eric.Soderlund@judithwross.com](mailto:Eric.Soderlund@judithwross.com)>; Judith Ross <[Judith.Ross@judithwross.com](mailto:Judith.Ross@judithwross.com)>  
**Subject:** Notices and Subpoenas

Dear Messrs. Clubok and Allen,

I have been informed of the attached Hold Notice and a recent email that your firm sent to Mr. Leventon. My firm, Ross & Smith, PC, as co-counsel with Baker McKenzie, and as conflicts counsel, is representing Isaac Leventon, J.P. Sevilla, Matthew DiOrio, Scott Ellington, and Katie Lucas.

Please send all future communications through me rather than communicating directly with my clients. Please copy my colleague, Eric Soderlund, who is copied on this email.

Thank you in advance for your professional courtesy.

Best regards,

Frances

Frances A. Smith, Shareholder  
Ross & Smith, PC  
Plaza of the Americas  
700 N. Pearl Street, Ste. 1610  
Dallas, TX 75201  
T 214.377.7879 | D 214.593.4976 | F 214.377.9409  
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